

Introduced by Senator Huff

February 5, 2014

An act to amend Section 4730.65 of the Health and Safety Code, relating to community facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 946, as introduced, Huff. Community facilities: consolidated sanitation district.

Under the Community Facilities Law of 1911, the governing body of a consolidated sanitation district located in Orange County, which has been formed under specified circumstances, is composed of one member of the city council of each city located wholly or partially within the district's boundaries, as specified, one member of the county board of supervisors, one member of the governing body of each sanitary district, as specified, and one member of the governing body of a public agency empowered to and engaged in the collection, transportation, treatment, or disposal of sewage, as specified.

This bill would revise the governing body of a consolidated sanitation district located in Orange County to instead include one member of the city council of each city, except the City of Yorba Linda, as specified, one member of the county board of supervisors, one member of the governing body of each sanitary district, as specified, one member of the governing body of a public agency empowered to and engaged in the collection, transportation, treatment, or disposal of sewage, as specified, and one member of the governing body of the Yorba Linda Water District.

This bill would make legislative findings and declarations as to the necessity of a special statute for the consolidated sanitation district in

Orange County, the City of Yorba Linda, and the Yorba Linda Water District.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4730.65 of the Health and Safety Code
2 is amended to read:
3 4730.65. (a) Notwithstanding Sections 4730, 4730.1 and
4 4730.2, or any other provision of law, a sanitation district in Orange
5 County, that has been created by the consolidation, pursuant to the
6 Cortese-Knox-Hertzberg Local Government Reorganization Act
7 of 2000 (Division 3 (commencing with Section 56000) of Title 5
8 of the Government Code), of one or more sanitation districts,
9 originally established pursuant to Section 4730, and one or more
10 sanitation districts, originally established pursuant to Section
11 4730.1, shall be referred to, for purposes of this section only, as a
12 consolidated sanitation district and the governing body shall be
13 constituted in accordance with subdivision (b).
14 (b) The governing body of the consolidated sanitation district
15 shall be a board of directors composed of all of the following:
16 (1) One member of the city council of each city located wholly
17 or partially within the district's boundaries, *except the City of*
18 *Yorba Linda*, provided, however, a city within the consolidated
19 district, the sewered portion of which city lies entirely within
20 another sanitary district, shall have no representation on the board.
21 (2) One member of the county board of supervisors.
22 (3) One member of the governing body of each sanitary district,
23 the whole or part of which is included in the consolidated sanitation
24 district.
25 (4) One member of the governing body of a public agency
26 empowered to and engaged in the collection, transportation,
27 treatment, or disposal of sewage and which was a member agency
28 of a sanitation district consolidated into a consolidated sanitation
29 district.
30 (5) *One member of the governing body of the Yorba Linda Water*
31 *District.*
32 (c) The governing body of the county and each city, sanitary
33 district, and public agency that is a member agency having a

1 representative on the board of directors of the consolidated
2 sanitation district, may designate one of its members to act in the
3 place of its regular member in his or her absence or his or her
4 inability to act.

5 (d) No action shall be taken at any meeting of the consolidated
6 district's board of directors unless a majority of all authorized
7 members of the board of directors is in attendance.

8 (e) A majority of the members of the board of directors present
9 shall be required to approve or otherwise act on any matter except
10 as otherwise required by law.

11 SEC. 2. The Legislature finds and declares that a special law
12 is necessary and that a general law cannot be made applicable
13 within the meaning of Section 16 of Article IV of the California
14 Constitution because of the special circumstances surrounding the
15 change in composition of the governing body of the consolidated
16 sanitation district in Orange County resulting from the transfer of
17 sanitation duties from the City of Yorba Linda to the Yorba Linda
18 Water District.